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 WATER RIGHTS
 SALT LAKE

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IN THE EIGHTH JUDICIAL DISTRICT COURT OF DUCHESNE COUNTY
 STATE OF UTAH

IN THE MATTER OF THE GENERAL)	ORDER APPROVING THE 1999
DETERMINATION OF ALL THE)	COMMISSIONER'S REPORT, 2000
RIGHTS TO THE USE OF WATER)	BUDGET AND APPOINTING THE 2000
BOTH SURFACE AND UNDERGROUND)	RIVER COMMISSIONER FOR THE
WITHIN THE DRAINAGE AREA OF)	LAKE FORK AND YELLOWSTONE
THE UINTAH BASIN IN UTAH)	RIVERS
)	
)	Docket No. 3070
)	Judge John R. Anderson

This matter came before the Court on the PETITION TO APPROVE 1999 COMMISSIONER'S REPORT, 2000 BUDGET AND SCHEDULE OF ASSESSMENTS, 2000 SCHEDULE OF DISTRIBUTION AND REQUEST TO APPOINT THE 2000 RIVER COMMISSIONER FOR THE LAKE FORK AND YELLOWSTONE RIVERS, filed by Lynn Hansen, Chairman of the Committee for the Lake Fork and Yellowstone River, pursuant to Utah Code Ann. §73-5-1 et. seq., petitioning the Court to approve the committee's 1999 report, 2000 budget, appoint a River Commissioner for 2000, authorize it to appoint an interim River Commissioner and approve its 2000 Schedule of Distribution of Waters of Lake Fork and

Yellowstone Rivers. The Court having considered the matter, notice having been given to affected parties, and the Court being fully informed in this matter, enters this order.

IT IS HEREBY ORDERED, ADJUDGED AND DECREED:

1. That the 1999 report of the administration of the waters of the Lake Fork and Yellowstone Rivers is approved, as submitted and filed herewith.

2. That the 2000 budget, with schedule of assessments, is approved, as submitted and attached hereto as "Exhibit A".

3. That William Christensen is appointed to serve as River Commissioner of the Lake Fork and Yellowstone Rivers, for a period of one (1) year.

4. That the Committee for the Lake Fork and Yellowstone Rivers is authorized to appoint a temporary replacement should the River Commissioner be unable to complete the one (1) year term.

5. That the proposed 2000 Schedule of Distribution of Waters of the Lake Fork and Yellowstone Rivers is approved, as submitted and attached hereto as "Exhibit B".

6. That the following provisions set forth in the 1999 Interim Order be reaffirmed and made effective for the year 2000:

a. That the River Commissioner be directed to distribute the water of the streams and reservoirs involved in accordance with this Court's Interim Order and to do all things necessary for the

proper and correct measurement, diversion and distribution of said waters, in accordance with the Decrees of the Federal District Court and state laws.

b. That the River Commissioner is directed to confer with the committee in developing a schedule for distribution of water, specifically, the manner in which the waters of the Lake Fork and Yellowstone Rivers, and their tributaries, should be distributed, after consultation with the State Engineer, and shall submit an annual Interim Distribution Order to this Court for its consideration.

c. That the River Commissioner is directed to deliver and distribute the waters of such non-Federal water rights in the Lake Fork and Yellowstone Rivers, in accordance with the proposed Schedule of Distribution, attached hereto as "Exhibit B".

d. That the waters for the Federal and non-Federal water rights be distributed in accordance with the terms and limitations of the 1923 Federal Court Decrees in cases numbered 4437 and 4012.

e. That the River Commissioner is instructed to work with the committee to prepare a recommended budget for the next year. Said recommended budget is to contain assessments to be made, monies to be received, along with a report of expenditures.

f. That the River Commissioner is authorized to manage the budget, to implement the ordered assessments and collection of

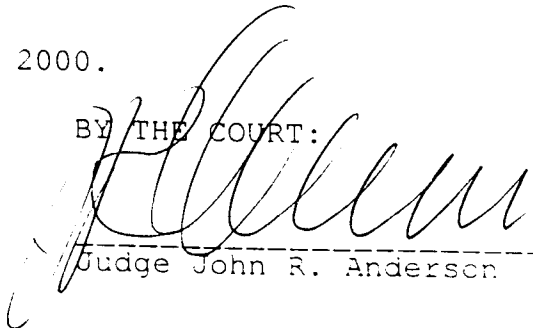
assessed amounts from the non-Federal water user organizations or water users, and request assessment and collection from the Bureau of Indian Affairs on the Uintah Indian Irrigation Project, in accordance with the approved budget and schedule of assessments.

g. That any person or entity, that is a water user in the subject rivers, or otherwise affected by the actions of the River Commissioner, may petition and appear before this Court (about the assessment amounts, the manner in which the water is distributed and/or any other claim relating to the distribution of water). In the event there is a violation of the Court's Order or any part of this Petition or, in the opinion of the River Commissioner, the occurrence of the unauthorized use of water, the River Commissioner is directed to recommend to this Court a solution to the problem, including any remedy to be imposed on the unauthorized water user or violator of the Order.

h. That if a non-Federal water user fails to pay any assessments levied, when due, that water users further use of water be prohibited.

DATED this 1st day of May, 2000.

BY THE COURT:



Judge John R. Anderson

"EXHIBIT A"

Lake Fork and Yellowstone
River Commissioner's
2000 Budget

Salary	\$ 32,430.00
Mileage	\$ 3,500.00
F.I.C.A.	\$ 2,480.00
Workers' Comp. Ins.	\$ 950.00
Unemployment	\$ 40.00
Office Supply	\$ 100.00
Association of Water Users ¹	\$ 1,375.00
Recorders, Repairs, etc.	\$ 2,000.00
Publish Annual Report	\$ 135.00
Phone	\$ 200.00
Office O & M	\$ 650.00
Property and Misc.	\$ 100.00
Retirement	\$ 2,000.00
Legal Fees	\$ 800.00

Expense Total	\$ 46,760.00

Funds on hand	\$29,596.24
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TOTAL BUDGET EXPENSES and FUNDS ON HAND	\$76,346.24 =====
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¹The committee has elected to utilize the services of the Associated Water users Association of the Lake Fork and Yellowstone River drainage for secretarial work, as well as, the collection of assessments from their members.

"EXHIBIT A"

Lake Fork and Yellowstone
River Commissioner's
2000 Schedule of Assessments

Funds on hand at the beginning
of the year carried forward from
unused 1999 budgeted funds

\$29,586.24

Crystal Ranch	\$	44.89
Dry Gulch Irr.	\$	22,078.20
Farnsworth Canal & Irrigation	\$	8,438.77
Hansen, Gordon	\$	21.98
J. Bruce Hartman	\$	98.20
Lake Fork Irrigation Co.	\$	1,183.96
Lake Fork Western Irr. Co.	\$	1,541.21
Lusty Cattle Inc.	\$	99.60
Monarch Can. & Res.	\$	0.00
Rowley Ditch	\$	40.21
Sandwash Irr. Co.	\$	433.93
South Boneta Ditch Co.	\$	370.81
T. N. Dodd Irr. Co.	\$	0.00
Uteland	\$	728.52
Ute Indian Irr. Project	\$	<u>11,679.72</u>
Total Assessments	\$	46,760.00

TOTAL ASSESSMENTS AND FUNDS
ON HAND

\$76,346.24

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**APPLICATIONS FOR APPROPRIATIONS OF WATER
FROM LAKEFORK RIVER**

Appl. Number	Appropriator	Cert. No.	Flow C.F.S.	Period of Use	Proof Acres	Canal - Comments
359	U.S. Indian Irr. Service	1213	62.20	5-1 to 10-15	4,247.79	Dry Gulch Federal Court
385	"	1220	5.81	5-1 to 10-15	393.42	Dry Gulch Decree (Docket
403	"	1228	3.30	5-1 to 10-15	230.36	Dry Gulch No. 4418) refers
359-a	"	1214	21.05	Modified by	8,750.64	Red Cap to the Cert. Nos.
366	"	1217	110.00	"	Supp'1	Red Cap as here listed
360	"	1231	140.06	"	9,701.43	Lakefork and gives total of
402	"	1171	17.58	Court Decree	1,230.76	Lk. Basin 25,000.00 acres
360-a	"	1215	1.89	Court Decree	493.20	Payne Irrigated and
403-a	"	1229	0.00	Court Decree	Supp'1	Payne 358.18 sec. ft. 30
402-a	"	1175	0.33	to 3-1 to 11-1	22.90	Utah Lake water right
	Totals		368.22		25,070.50	
416	Dry Gulch Irrigation Co.	2059	42.36	4-1 to 10-31	5,827.37	Limited to 0.50 acre ft. per
416-a-1	"	2061	14.20	4-1 to 10-31	1,920.18	acre for total of 19,995.71
416-a	"	2060	19.00	4-1 to 10-31	2,660.78	acres
416-b	"	2045	68.50	4-1 to 10-31	9,587.38	
438	"	2069	103.71	4-1 to 10-31	12,523.71	Limited to 0.50 ac. ft. per ac.
438-a	"	2077	98.40	4-1 to 10-31	11,656.93	For 24,180.64 acres
460	"	2265	57.00	4-1 to 10-31	23,379.32	Supp'1 to prior Dec. 1915.
416-b-1	Lakefork Irrigation Co.	2071	10.20	4-1 to 9-30	1,008.51	2.00 ac. ft. per acre
416-c	"	1669	1.47	4-1 to 11-1	117.70	3.00 ac. ft. per acre

460-a	"	1850	7.50	4-1 to 9-30	613.26	1.85 ac. ft. per acre
4203	"	1749	12.00	4-1 to 11-1	1,061.67	1.85 ac. ft. per acre
1711-b	Farmers Irrigation Co.	1747	4.00	4-1 to 12-1	261.28	2 ac. ft. limit Farmers Irr.
1759	"	1422	28.50	4-1 to 10-31	2,050.60	3 " " Co. merged
2091	"	1411	9.00	4-1 to 11-1	633.70	3 " " with Dry
2883	"	1746	2-2/3	4-15 to 10-15	305.95	2 " " Gulch Irr.
3369	"	1745	42.00	4-1 to 10-31	2,860.91	2 " "
1931	Farnsworth Canal & Res'r Co.	1464	111.78	4-1 to 10-15	7,825.00	Farnsworth Canal
2609	"	3152	25.22	5-1 to 10-31	10,950.73	Farnsworth Supp'l
17978	Moon Lake Water Users Assn		300.00	3-1 to 11-30		Lake Fork & Yellowstone Rivers
9133	Utah Water & Power Board		57.00	1-1 to 12-31		Lake Fork River
491	H.C. Means	153	2.00	5-1 to 9-30	128.86	Hamilton Ditch
498	Peter O. Madsen (L.W. Irr. Co.)	389	1.97	4-1 to 10-31	158.00	Boneta
863	E.K. Purdy	425	3.80	3-15 to 11-15	228.90	Purdy. Abandoned.
883-a	L.J. Gilbert (U.D. Co.)	460	.74	3-15 to 11-15	44.40	Uteland
1178	Mikkel Knudsen	994	51.70	3-15 to 11-15	51.11	Knudsen Ditch
1226	Lakefork Western Irr. Co.	880	28.00	3-15 to 11-15	2,151.00	Boneta
1881	George T. Smith	488	1.20	3-1 to 11-1	102.20	Uteland
2040	J.T. Murdock, R.J. Gill, W.E. Foy	999	2.00	4-1 to 11-1	129.33	Murdock
2548	John Holifeltz et. al.	536	7.11	4-1 to 10-15	499.90	Uteland
2797	Irrigated Farms Mortgage Co.	540	1-3/7	4-15 to 10-15	120.90	Uteland
3185	Clark W. & Ada M. Lacey	398	1.08	5-1 to 10-15	76.06	Lakefork Hamilton Ditch

EXHIBIT "B"

3466	Antan Power & Light Co.	1102	25.0	1-1 to 12-31	0	Lakefork Hamilton Ditch
3466	C.H. Morehouse	1584	5.26	3-1 to 10-31	368.18	Uteland
3575	South Boneta Irrigation Co.	1499	8.80	4-1 to 10-31	616.73	
3800	C.B. Farnsworth	949	.93	4-1 to 12-1	57.93	Uteland
3945	I. Warren Odekirk	2173	1.80	4-1 to 10-31	86.00	"
4872	James S. Crystal	474	1.50	5-1 to 9-30	101.90	Crystal Ditch
4881	Arthur Barney	868	.36	4-15 to 9-15	25.10	"
5001	Paul W. Curry	1617	.26	3-25 to 11-1	18.40	Murdock
7130	H. Calvert & R.E. Waugh	1017	.15	4-1 to 11-15	18.60	Purdy Ditch
9383	Ralph Rowley	2272	2-2/7	4-1 to 10-1	42.90	Rowley Ditch Lakefork River
9384	Ralph Rowley	2273	.75	4-1 to 10-1	18.50	Spring Creek Lakefork River
10124	Carl R. Johnson	2050	.59	5-15 to 9-15	37.49	Purdy
13412	Myton City		2.00	1-1 to 12-31		
3681	Moon Lake Water Users Assn.		11-1 to 7-1	14,000		Moon Lake
7104	"		10-1 to 7-1	25,000		"
4684	"	2010	11-1 to 5-31		730	Clement Lake
6353	"	2251	5-1 to 7-1		759	Brown Lake Carl 324 and 325
6355	"	2252	5-1 to 7-1		851.2	Island Lake
6356	"	2253	5-1 to 7-1		1,500	Kidney Lake
7001	"	2254	1-1 to 7-1		1,700	Kidney Lake
7644	"	1863	10-15 to 4-15		334	Farmers Lake
7645	"	1864	10-15 to 4-15		115	Water Lily Lake
8298	"		10-1 to 7-1	400		Superior Lake
8299	"		10-1 to 7-1	250		Tungsten Lake
8300	"		10-1 to 7-1	500		Flint Lake

EXHIBIT "B"

8315	"		10-1 to 7-1	200		North Star Lake
8386-a	"		4-1 to 7-1	1,350		Twin Pots
8532	"		10-1 to 7-1	2,500		Twin Pots
9628	"	1865	10-31 to 6-15		104	Deer Lake
9796	"	1866	11-1 to 10-31		30	White Miller Lake
9799	"		1-1 to 12-31	640		Drift, Bluebell & Spider
13900	"			1,850		Timothy & Carroll Lakes
9095	Utah Water & Power Board			1,000		Filing on W. Fk. Lakefork
9097	"			2,500		"
9099	"			10,000		"
9115	"			250,000		Lk. Fk., Rk. Ck., Duchesne
9116	"			5,000		East Fork Lakefork
12934	CO River-Great Basin W.U. Assn		1-1 to 12-31	1,500,000		Use 3-13 to 10-15
18043	U.S. Bureau of Reclamation		1-1 to 12-31	800,000		Use 1-1 to 12-31